

## **AGENDA**

### **CONNECTICUT MEDICAL EXAMINING BOARD**

**Tuesday, November 15, 2011 at 1:30 PM**

**Legislative Office Building  
300 Capitol Avenue, Hartford Connecticut  
Conference Room 1-C**

#### **CALL TO ORDER**

#### **I. APPROVAL OF MINUTES**

October 18, 2011

#### **II. UPDATES**

- A. Chair Updates
- B. Information Updates  
Department of Public Health

#### **III. NEW BUSINESS**

#### **IV. 120 DAY EXTENSIONS**

Regina Hillsman, MD – 2009-0520-001-097  
Prem Nath, MD - Petition No. 2009-20091373  
Robban Sica, MD - Petition No. 2007-0227-001-030  
Mahmood Yekta, MD – 2007-0328-001-047

#### **V. LEGAL OFFICE BUSINESS**

- A. Sanjay Aggarwal, MD – Petition No. 2011-317  
*Presentation of Consent Order – Mathew Antonetti, Principal Attorney, DPH*
- B. Neha Batheja, PA-C – Petition No. 2010-5266  
*Presentation of Consent Order – Linda Fazzina, Staff Attorney, DPH*
- C. Rabindranath Mahabir, MD – Petition Nos. 2008-200860; 2008-2008106; 2009-2009160  
*Presentation of Consent Order – David Tilles, Staff Attorney, DPH*
- D. Christopher Sinclair, PA-C – Petition No. 2010-182  
*Presentation of Consent Order – Linda Fazzina, Staff Attorney, DPH*
- E. Joel Singer, MD – Petition No. 2010-148  
*Presentation of Consent Order – Mathew Antonetti, Principal Attorney, DPH*
- F. John Dubaz, MD – Petition No. 2011-67  
*Presentation of Consent Order – David Tilles, Staff Attorney, DPH*

#### **VI. OPEN FORUM**

#### **ADJOURN**

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD  
MINUTES of October 18, 2011**

The Connecticut Medical Examining Board held a meeting on Tuesday, October 18, 2011 at the Legislative Office Building, Capitol Avenue, Hartford, Connecticut in conference room 1-C.

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**BOARD MEMBERS PRESENT:**

Anne Doremus, Chairperson  
Raymond Andrews, Jr., Esq.  
David M. Goldenberg, MD  
Jeffrey A. Gordon, MD  
Robert Green, MD  
Rabbi Dov Greer  
Henry Jacobs, MD  
Michael Lindberg, MD  
Patricia Loving, PA  
Edward McAnaney, Esq.  
Daniel Rissi, MD  
Howard Sadinsky, DO  
C. Steven Wolf, MD

**BOARD MEMBERS ABSENT**

Douglas Fellows, MD

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Ms. Doremus called the meeting to order at 1:37 p.m.

**I. MINUTES**

The draft minutes of the August 16, 2011 meeting were reviewed. Rabbi Greer made a motion, seconded Dr. Green, to approve the minutes as written. The motion passed with all in favor.

**II. UPDATES**

A. Chair Updates

1. Monthly tracking of pending cases.
2. Hearing assignments.

B. Department of Public Health

None

**III. NEW BUSINESS**

A. Proposed Memorandum of Decision  
Neil Smerling, MD - Petition No.2009-200921

Dr. Jacobs made a motion, seconded by Mr. McAnaney, to adopt the Memorandum of Decision which dismisses the charges against Dr. Smerling. The motion passed unanimously. Ms. Doremus signed the Order.

B. Oral Argument on Proposed Memorandum of Decision

- Respondent Motion to Modify Proposed Memorandum of Decision
- Respondent Motion to Dismiss Statement of Charges
- Motion to Rescind Summary Suspension

Chiman Patel, MD – 2011-296

Attorney Richard Tynan was present with respondent. Principal Attorney Matthew Antonetti was present for the Department of Public Health.

Attorney Tynan on behalf of Dr. Patel withdrew respondent's Motion to rescind Summary Suspension and Motion to Dismiss.

Following argument on the proposed Memorandum of Decision and respondent's motion to modify, Dr. Green made a motion, seconded by Dr. Sadinsky, to adopt the proposed decision with the addition of language as proposed by respondent pertaining to a structured payment plan. The motion passed unanimously.

Following inclusion of the additional language, the decision imposing a practice restriction; probation for a period of five years and a \$30,000.00 civil penalty, will be signed by Ms. Doremus.

IV. **120 DAY EXTENSIONS**

M.J. Brackett, MD – Petition No. 2009-200970 – A hearing date is scheduled for November 15, 2011.

Dr. Goldenberg made a motion, seconded by Ms. Loving, to grant a 120 day extension in this matter. The motion passed unanimously.

V. **LEGAL OFFICE BUSINESS**

A. William Beason, MD – Petition No. 2010-148

Linda Fazzina, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Attorney Thomas Boyce was present with respondent.

Dr. Green made a motion, seconded by Dr. Gordon, to deny the Consent Order due insufficient information having been presented to make an informed decision. Following discussion Dr. Green withdrew his motion.

Dr. Goldenberg made a motion, seconded by Ms. Loving, to approve the proposed Consent Order.

The motion passed with Mr. Andrews, Dr. Sadinsky, Dr. Lindberg, Ms. Loving, Dr. Goldenberg and Ms. Doremus voting in favor. Dr. Gordon, Dr. Rissi, Dr. Wolf, Rabbi Greer and Mr. McAnaney were opposed. Dr. Green abstained. Ms. Doremus signed the Order which imposes a reprimand and probation of respondent's license.

B. Joel Singer, MD – Petition No. 2010-148

Matthew Antonetti, Principal Attorney, Department of Public Health presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Goldenberg made a motion, seconded by Rabbi Greer, to reject the Consent Order as written. The motion passed unanimously. It was suggested that a civil penalty be added to the Order.

The Board also suggested that the Department of Public Health conduct a review of the surgeries performed by the other physicians practicing at the facility in question.

**VI. OPEN FORUM**

The Board had a lengthy discussion regarding the presentation of Consent Orders by the Department of Public Health. It was the consensus of the Board that the presentation of additional fact information by the DPH Staff Attorneys will be helpful for Board members to make an informed decision when reviewing Consent Orders for approval

**VII. ADJOURNMENT**

As there was no further business, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Anne C. Doremus, Chairperson